

# Bullying, Sexual Violence and Harassment Policy



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<b>Approval Date:</b>	September 2022	<b>Approval Authority:</b>	LUSA Executive
<b>Review Date:</b>	October 2024	<b>Contact Officer:</b>	LUSA President

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## Purpose

1. The purpose of this prevention policy is to make clear that **bullying, sexual violence and harassment** (which includes sexual violence and sexual assault) **is unacceptable. Bullying, sexual violence and harassment will not be tolerated** at Lincoln University Students' Association (LUSA), between executive members, employees, contractors or volunteers of LUSA, any members of the Lincoln University community, at LUSA events, or within LUSA clubs.
2. In addition to this, this policy will detail how LUSA will demonstrate our commitment to ending bullying, sexual violence and harassment, through the implementation of structural change and organisational initiatives to prevent sexual violence.
3. These structural initiatives have been informed by good practice made out by the sexual violence sector in Aotearoa New Zealand, for organisations and the specific competencies they must **demonstrate** in order to effectively and ethically respond to and prevent sexual violence within their respective communities.

## Background

4. This policy has been modelled off good practice evidence from similar work internationally and resources from national bodies, along with consultation from representative bodies locally and around New Zealand.
5. The good practise made out within **Bullying and Harassment policies** in New Zealand has been applied and adapted for the purpose of LUSA.

### Definitions:

**Harassment** is a form of discrimination and is unlawful under both the Employment Relations Act 2000 and the Human Rights Act 1993. Harassment of any kind is defined broadly as:

- Any behaviour directed towards an individual or group that a reasonable person, having regard to the circumstances
  - would expect to insult, intimidate, victimise or disadvantage the recipient, and which is:
  - unwelcome, hurtful or offensive to the recipient; and is
  - repeated, and/or is of such significance as to adversely affect the recipient's employment or wellbeing.

Harassment can include:

- Discrimination
- Sexual Harassment
- Personal Harassment
- Bullying

### Discrimination:

LUSA is an inclusive workplace that welcomes diversity and will not tolerate discrimination or discriminatory behaviour as outlined under the Human Rights Act 1993. LUSA will also not tolerate discrimination.

### Sexual Harassment:

*Lincoln University Students' Association  
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Sexual harassment includes interaction(s) characterised by unwelcome sexual advances or propositions, requests for sexual favours, other verbal or physical conduct of a sexual nature which creates a hostile environment for people, including of certain gender or sexual identities, and creating a hostile environment by using jokes and remarks. Sexual harassment is detrimental to mental and physical well being

Sexual harassment is not tolerated in any form at LUSA due to its violation of a person's mental, physical, and spiritual space.

### **Personal Harassment:**

Personal harassment means any behaviour by a member of staff, which explicitly or implicitly intimidates, humiliates, undermines, or dominates another person; or involves the use of abusive and/or threatening language, verbal or physical threats; or any form of physical assault.

### **Bullying**

Bullying is a form of harassment and a misuse of power, whether formal or informal, which is characterised by repeated and persistent, offensive, abusive, intimidating, malicious or insulting behaviour. It makes the recipient or target feel upset, threatened, humiliated or vulnerable and undermines self-confidence. It has a detrimental effect on a person's dignity and well-being and may cause them to suffer stress. Bullying can be exercised by anyone in any position in an organisation and can occur at all levels.

Bullying does not include appropriate critical feedback or advice given as part of a healthy work relationship. If anyone is however concerned that they may be experiencing bullying, they should not hesitate to talk to the appropriate person as outlined in this policy.

### **LUSA recognises that**

6. Sexual violence can occur between individuals regardless of their gender, minority gender, sexuality status, race/ethnicity, or disability status.
7. Sexual violence is most likely to occur between people who already know each other. Sexual violence can happen between partners and those in romantic relationships and between those who are married.
8. Learning how to "address racism, colonisation, heterosexism, ableism, transphobia", homophobia and biphobia as fundamental issues that must be addressed to end sexual violence within student and tertiary communities<sup>1</sup>
9. Addressing power dynamics internally and externally to the [Student Association] are fundamental to the changes in attitudes, behaviours and beliefs that perpetuate bullying and harassment within our communities.
10. Bullying and harassment of **any** nature can be a traumatic experience. LUSA recognises that some individuals' experiences of sexual violence may be considered by society as "low end" forms of sexual violence and therefore "not-as-serious". LUSA rejects this notion and considers all forms of sexual violence as serious.
11. Those who disclose sexual violence have not been in control of the sexual violence they have experienced and therefore they must be in control of their healing and/or decisions to report and subsequent process of reporting.
12. That perpetrators of harmful sexual behaviours have the right to be supported to grow their capacity to address harmful sexual behaviours and engage in safe relationships.

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<sup>1</sup> Sessa, M. G., *Prevention of Sexual Violence: Taiwi Mainstream Principles of Practice and Workforce Capability - Draft Framework* (Sept. 14<sup>th</sup>, 2017), 21.

## LUSA believes that:

13. Student communities without sexual violence are possible.
14. Everybody deserves the right to work and study free from all forms of sexual violence.
15. Ending sexual violence is a student community responsibility.
16. When an executive member, student or LUSA employee **informally discloses** or **formally reports** an incident of sexual violence they should be supported and made aware of support services available to them.
17. No one should be pressured into formal reporting pathways.
18. Employees and executive members of LUSA should be knowledgeable about the issue of sexual violence and;
19. Employees and executive members should be confident in their ability to respond to disclosures of sexual violence.

## LUSA Office

20. Bullying, sexual violence and harassment will not be tolerated within the LUSA office. Staff, Executive members, students, and visitors to our office all have the right to feel safe and respected. Refusal to tolerate sexual harassment within our office is an important part of creating a safe and positive environment for our constituents and our staff. Such instances of sexual harassment will be dealt with under the conditions set out in paragraph 24. Anyone caught breaching this policy within the LUSA office shall be asked to leave.

## LUSA Events

21. Events organised by or sponsored by LUSA should all endeavour to be free from bullying, sexual violence and harassment, and to have adequate sexual harassment prevention measures in place.
22. Merely stating the prohibition of sexual harassment at LUSA events is not enough, and as an organisation we must ensure that steps are taken to both prevent and deal with situations of sexual harassment.

## Sexual Harassment Awareness and Sexual Harassment Contact Training

23. Responsibility for organising annual Sexual Harassment Awareness and Contact training for the LUSA Executive, all staff and any appropriate volunteers should be that of the LUSA General Manager and/or the LUSA President. Training should be carried out as soon as possible at the beginning of each academic year.

## Dealing with bullying, sexual violence and harassment

24.
  - 24.1. If you feel unsafe at any time, contact 111 and police services
  - 24.2. Complaints can be brought, through an official Sexual Harassment Contact if the complainant wishes, to either the LUSA President, the LUSA Student Advocacy and Voice employee, or the General Manager.
  - 24.3. In the case of a complaint against staff, the issue may be brought to the General Manager. If the complaint is against the General Manager, the complaint is to be brought to the LUSA President. If the complaint is against a student, the complaint is to be brought to the Student Advocacy and Voice employee.
  - 24.4. Complaints can also be taken through legal avenues.
  - 24.5. The ultimate decision for how to proceed is up to the complainant.

## Freedom from Reprisal

25. Any complainants shall be protected from reprisals as a result of bringing a harassment charge. Witnesses are also protected from reprisals where they have testified honestly.